

PTO/SB/52 (03-02)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (optional)
PHLY-25,478

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: DCCP, Inc.and the title of my position with said assignee is: Vice President

The entire title to the patent identified below is vested in said assignee.

Inventor	Citizenship
<u>Paul Steger</u>	USA

Residence/Mailing Address	
<u>2624 E. Shorewood Blvd., Shorewood, WI 53211</u>	

Inventor	Citizenship

Residence/Mailing Address	

Additional Inventors are named on separately numbered sheets attached hereto.

Patent Number	Date of Patent Issued
<u>5,925,865</u>	<u>July 20, 1999</u>

Title of Invention	
<u>AUTOMATIC CHECK VERIFICATION AND TRACKING SYSTEM</u>	

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

AUTOMATIC CHECK VERIFICATION AND TRACKING SYSTEM

the specification of which

is attached hereto.

was filed on July 19, 2001 as reissue application number 09 / 909,035
and was amended on N/A
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

by reason of a defective specification or drawing.

by reason of the patentee claiming more or less than he had the right to claim in the patent.

by reason of other errors.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Paul Steger

For: AUTOMATED CHECK VERIFICATION AND TRACKING SYSTEM

the specification of which was filed on July 19, 2001, as Application Serial No. 09/909,035.

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF OF NONSIGNING
INVENTOR (37 C.F.R. § 1.47)**

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application before deposit thereof in the Patent and Trademark Office.

This statement is being made by the available person having first-hand knowledge of the facts recited therein.

IDENTIFICATION OF PERSON MAKING THIS STATEMENT OF FACTS

Gregory M. Howison
HOWISON, THOMA & ARNOTT, L.L.P.
12225 Greenville Ave., Ste. 985
Dallas, TX 75243

LAST KNOWN ADDRESS OF THE NONSIGNING INVENTOR

Paul Steger
2624 E. Shorewood Blvd.
Shorewood, WI 53211

DETAILS OF EFFORTS TO REACH NONSIGNING INVENTOR

I, Gregory M. Howison, with offices at Howison, Thoma & Arnott, L.L.P., 12225 Greenville Avenue, Suite 985, Dallas, Texas 75243 make the following statement of facts in support of Filing on Behalf of Nonsigning Inventor pursuant to 37 C.F.R. Sec. 1.47(b).

The last known address of the nonsigning inventor, Paul Steger, is 2624 E. Shorewood Blvd., Shorewood, Wisconsin 53211.

I made the following efforts to reach the nonsigning inventor, Mr. Paul Steger. On October 16, 2001, a letter, signed by Mr. William S. Leftwich, Vice President of DCCP, Inc., the assignee of U.S. Patent No. 5,925,865 which is the subject of the present Reissue Patent Application, Serial No. 09/909,035, was sent via U.S. mail to Mr. Paul Steger at the above address together with a Reissue Declaration and Power of Attorney. The letter from Mr. Leftwich requested Mr. Steger to sign the Reissue Declaration and return it to me, Gregory M. Howison. Copies of the above documents are attached.

There being no response, Mr. Leftwich on November 16, 2001 again sent his letter and the Reissue Declaration via U.S. Certified Mail to Mr. Steger at the above address. The letter, in its envelope, was returned to DCCP, Inc. by the U.S. Postal Service marked "Forwarding Order Expired." Copies of these documents are attached, including the envelope.

On December 10, 2001 I, Gregory M. Howison, performed a search on the Internet and located an address for a Mr. Paul R. Steger at 1630 Bultman Road, Madison, Wisconsin 53704-3676. This information was communicated via e-mail to Ms. Suzy Fulton, Intellectual Property counsel at DCCP, Inc. On December 10, 2001, Mr. Leftwich sent a third copy of his letter and the Reissue Declaration, again via Certified Mail, to this Mr. Steger at the new address. This letter was returned by Mr. Paul R. Steger in an envelope postmarked January 2, 2002 together with a notation stating "Sorry, you have the wrong Paul Steger," followed by his signature. A

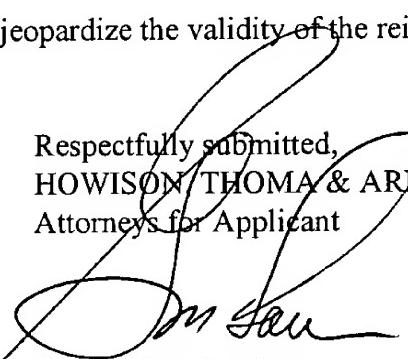
copy of this document is attached.

On January 11, one of my associates, upon telephoning an attorney of record (Mr. William M. Hanlon, Jr. of Troy, Michigan) for Mr. Paul Steger to obtain Mr. Steger's last known address, received the same Shorewood, Wisconsin address shown above. This associate, on March 7, 2002 also received the same information from Mr. Steger's last known attorney of record (Mr. Robert F. Perry of New York, New York) in response to a telephone inquiry of March 6, 2002. Further, a telephone information inquiry by this associate on March 7, 2002 provided the result that there was no listing of Mr. Paul Steger, or a Mr. P. Steger, at the 2624 E. Shorewood address in Shorewood, Wisconsin, nor is anyone by that name listed in the telephone directory for Shorewood, Wisconsin.

Further an outside search firm, US Search, was contracted to search for Mr. Steger. They found no forwarding address.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code and that such wilful statements may jeopardize the validity of the reissue application or any reissue patent issued thereon.

Respectfully submitted,
HOWISON THOMA & ARNOTT, L.L.P.
Attorneys for Applicant


Gregory M. Howison
Registration No. 30,646

GMH:jk
P.O. Box 741715
Dallas, Texas 75374-1715
Tel: 972-479-0462
Fax: 972-479-0464
March 11, 2002

SENT BY: OFFICEMAX;

9722830197;

MAR-11-02 5:44PM;

PAGE 2/3

SENT BY: HOWISON, THOMA & ARNO;

972 478 0464 ;

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PAGE 4/4

**ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR
SIGNATURE BY PERSON WITH SUFFICIENT PROPRIETARY INTEREST WHERE
NO INVENTOR IS AVAILABLE TO SIGN AND ON BEHALF OF ALL THE
INVENTOR(S) WHO REFUSE(S) TO SIGN OR CANNOT BE REACHED (37 C.F.R. §
1.47(b))**

I, William S. Leftwich hereby declare that:

I am a citizen of the U.S.A., having a business address of 9101 N. Central Expressway, Suite 500, Dallas, Texas 75231; and

I am authorized by the following person or juristic entity with sufficient proprietary interest, DCCP, Inc., 1209 Orange Street, Wilmington, Delaware 19801.

By virtue of this proprietary interest, I sign this declaration on behalf of, and as agent for Paul Steger, nonsigning inventor who cannot be found or reached, whose last known address is 2624 E. Shorewood Blvd., Shorewood, WI 53211, U.S.A.

This action is necessary to preserve the rights of the assignee.

Accompanying this declaration is a statement of facts in support of filing on behalf of nonsigning inventor and the petition fee of \$130.00. (37 C.F.R. § 1.17(i)).

Please charge any additional fees or deficiencies in fees or credit any overpayment to Deposit Account No. 20-0780/PHLY-25,478 of HOWISON, THOMA & ARNOTT, L.L.P.

Date: 3/11/02

Signature of person with sufficient proprietary interest or authorized to act on behalf of such person or entity

PHLY-25,478

09/909,035

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130.00 0P

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SENT BY: OFFICEMAX;
HOWISON, THOMA & ARNO;9722830197;
8/2 478 0484 ;MAR-11-02 5:44PM;
MAR-11-02 5:41PM;PAGE 3/3
PAGE 3/4

PTO/A8/02 (03-02)

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REISSUE APPLICATION DECLARATION BY THE ASSIGNEE

Docket Number (Optional)
PHLY-25,478

At least one error upon which release is based is described as follows:

The error arose because of the failure of the patentee, and the failure of his patent attorney, to appreciate the full scope of the invention. As a result, claims covering the broader aspect of the invention were not included in the application for the original patent, nor in any amendment thereto.

[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)	Registration Number
Gregory M. Howison	30,546
PETER J. Thoma	28,121
John J. Arnott	39,095
David C. Cain	33,974
	45,337

Correspondence Address: Direct all communications about the application to:

 Customer Number:

25883

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Type Customer Number Here

25883

PATENT TRADEMARK OFFICE

<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
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Country			
Telephone	Fax		

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)

William S. Leftwich

Signature

Date

3/11/02

Address of Assignee

9101 N. Central Expressway, Suite 500, Dallas TX 75231